

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

---

**NERON DOZIER,**

**Plaintiff,**

**vs.**

**9:05-CV-0127**

**SGT. C.O. CHAPMAN, ET AL,**

**Defendants.**

---

**APPEARANCES:**

**OF COUNSEL:**

Neron Dozier  
01-A-3845  
Auburn Correctional Facility  
P.O. Box 618  
Auburn, NY 13021  
Plaintiff, *Pro se*

Hon. Andrew M. Cuomo  
Attorney General of the State of New York  
The Capitol  
Albany, New York 12224  
Attorney for Defendants

Heather R. Rubinstein, Esq.  
Assistant Attorney General

**Norman A. Mordue, Chief U.S. District Judge**

**ORDER**

The above matter comes to me following a Report-Recommendation by Magistrate Judge Randolph F. Treece, duly filed on the 1<sup>st</sup> day of September, 2009. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. Defendants' Motion for Judgment (Dkt. No. 62) is granted in part and denied in part.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the

Magistrate Judge assigned to this case.

**IT IS SO ORDERED.**

Dated: September 21, 2009  
Syracuse, New York



Norman A. Mordue  
Chief United States District Court Judge